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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

YUGUI CAI,

Plaintiff,

No. C 05-03175 EDL

v.

FISHI CAFÉ, INC ET AL.,

Defendants.

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**ORDER DENYING APPLICATION TO  
APPEAR TELEPHONICALLY**

On July 23, 2007, Plaintiff's counsel faxed a request to appear telephonically at the motion hearing set for July 24, 2007 at 9:00 a.m. due to a scheduling conflict with another matter. IT IS HEREBY ORDERED that the request is denied. Telephonic appearances are disfavored, and Plaintiff has not shown good cause for the Court to grant that relief in this case. Moreover, the July 24, 2007 hearing date was set by court order on July 10, 2007, in response to Plaintiff's request to shorten time to hear Plaintiff's motion to compel. Plaintiff has offered no explanation as to why he waited until the day before the hearing to request to appear by telephone.

Dated: July 23, 2007

*Elizabeth D. Laporte*  
ELIZABETH D. LAPORTE  
United States Magistrate Judge